

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PERRY L. MYLES,

Plaintiff,

Case No. 11-14327

v.

Honorable John Corbett O'Meara

JANET NAPOLITANO, SECRETARY OF
U.S. DEPARTMENT OF HOMELAND
SECURITY,

Defendant.

**ORDER DENYING
PLAINTIFF'S APPLICATION FOR APPOINTMENT OF COUNSEL**

This matter came before the court on plaintiff Perry L. Myles' September 30, 2011 Application for Appointment of Counsel. In his *pro se* complaint, Plaintiff alleges that Defendant violated the Americans with Disabilities Act when failing to hire him.

The appointment of counsel in a civil case is a privilege and not a constitutional right, one that should be allowed only in exceptional cases. Lopez v. Reyes, 692 F.2d 15, 17 (5th Cir. 1982). The United States Court of Appeals for the Sixth Circuit has advised that district courts, in considering an application for appointment of counsel in civil cases, "should at least consider plaintiff's financial resources, the efforts of plaintiff to obtain counsel, and whether plaintiff's claim appears to have any merit." Henry v. City of Detroit Manpower Dep't., 763 F.2d 757, 760 (6th Cir. 1985).

In reviewing Plaintiff's application, the court finds no exceptional circumstances to allow for the appointment of counsel.

Accordingly, it is hereby **ORDERED** that Plaintiff's Application for Appointment of Counsel is **DENIED**.

s/John Corbett O'Meara
United States District Judge

Date: November 9, 2011

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, November 9, 2011, using the ECF system and/or ordinary mail.

s/William Barkholz
Case Manager